

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
ANDERSON KILL & OLICK, P.C.,

Plaintiff,

v.

08-CV-4565 (AKH)

BRAY & GILLESPIE, INC.; BRAY &
GILLESPIE MANAGEMENT, LLC; CHARLES
A. BRAY and JOSEPH GILLESPIE,

NOTICE OF MOTION FOR
ADMISSION OF ANDREA TOY
OHTA PRO HAC VICE

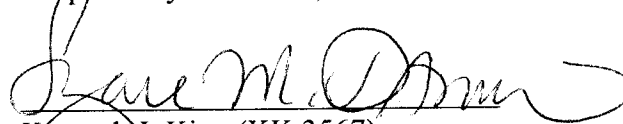
Defendants.

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PLEASE TAKE NOTICE that, upon the accompanying Affidavit of Suzanne M. D'Amico, sworn to May 27, 2008, and the exhibits annexed thereto, defendants Bray & Gillespie, Inc.; Bray & Gillespie Management, LLC; Charles A. Bray and Joseph Gillespie will move this Court before the Honorable Alvin K. Hellerstein, at the United States Courthouse, 500 Pearl Street, New York, New York, for an Order pursuant to Rule 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, allowing the admission of Andrea Toy, a member of the law firm of Pepper Hamilton LLP and a member in good standing of the Bars of the Commonwealth of Pennsylvania and of the State of California, as attorney to the bar of this Court *pro hac vice* to argue and try this case, in whole or in part, as counsel. There are no pending disciplinary proceedings against Andrea Toy Ohta in any state or federal court.

Dated: New York, New York
May 27, 2008

Respectfully submitted,



Kenneth J. King (KK 3567)
Suzanne M. D'Amico (SD 3581)
Attorneys for Defendant

52-198825
MAY 28 2008

PEPPER HAMILTON LLP
The New York Times Building
620 Eighth Avenue, 37th Floor
New York, NY 10018-1405
(212) 808-2700

TO: Jeffrey E. Glen, Esquire
Attorney for Plaintiff
Anderson Kill & Olick, P.C.
1251 Avenue of the Americas
New York, NY 10020

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A. BRAY and JOSEPH GILLESPIE,

MOTION FOR ADMISSION OF
ANDREA TOY OHTA *PRO HAC*
VICE

Defendants.
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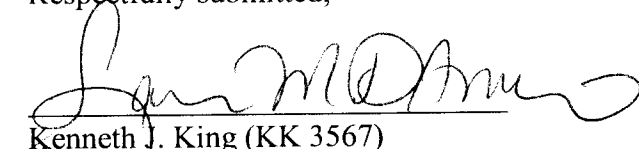
Pursuant to Local Civil Rule 1.3(c), I, Suzanne M. D'Amico, a member in good standing of the Bar of this Court, hereby move for an Order allowing the admission *pro hac vice* of:

Andrea Toy Ohta
PEPPER HAMILTON LLP
3000 Two Logan Square
Eighteenth and Arch Streets
Philadelphia, PA 19103
(215) 981-4000
toyohtaa@pepperlaw.com

Andrea Toy Ohta is a member in good standing of the Bars of the Commonwealth of Pennsylvania and of the State of California. She is currently inactive in the State of California. There are no pending disciplinary proceedings against her in any State or Federal Court.

Dated: New York, New York
May 27, 2008

Respectfully submitted,


Kenneth J. King (KK 3567)
Suzanne M. D'Amico (SD 3581)
Attorneys for Defendants

PEPPER HAMILTON LLP
The New York Times Building
620 Eighth Avenue, 37th Floor
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08-CV-4565 (AKH)

BRAY & GILLESPIE, INC.; BRAY & GILLESPIE
MANAGEMENT, LLC; CHARLES A. BRAY and
JOSEPH GILLESPIE,

AFFIDAVIT

Defendants.

-----X

STATE OF NEW YORK)
) SS:
COUNTY OF NEW YORK)

Suzanne M. DAmico, Esquire, being duly sworn, hereby deposes and says:

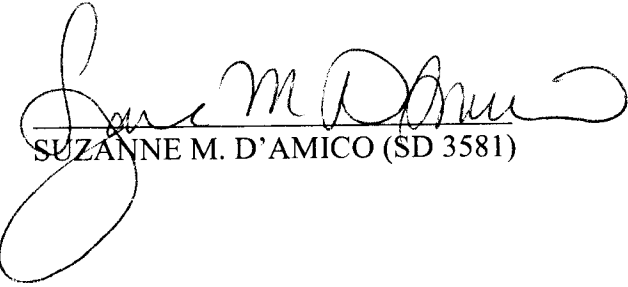
1. I am an attorney admitted to practice in the State of New York and before this Court. I am an associate with the law firm of Pepper Hamilton LLP, counsel for defendants in the above-captioned matter.

2. I submit this Affidavit in support of the motion for the admission of Andrea Toy Ohta to practice *pro hac vice* in the above-captioned matter.

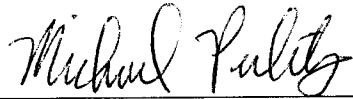
3. Andrea Toy Ohta is an associate with our law firm, Pepper Hamilton LLP, at 3000 Two Logan Square Eighteenth and Arch Streets, Philadelphia, Pennsylvania 19130. As show in the Certificates of Good Standing annexed to this Affidavit as Exhibit A, Andrea Toy Ohta is a member in good standing of the Bars of the Commonwealth of Pennsylvania, admitted April 21, 2003, and of the State of California, admitted December 2, 2001. She is currently inactive in the State of California.

4. There are no pending disciplinary proceedings against Ms. Ohta in any State or Federal Court.

5. It is respectfully requested that the Court grant the motion for an Order permitting Andrea Toy Ohta to appear in this action as counsel for defendants for all purposes *pro hac vice*.


SUZANNE M. D'AMICO (SD 3581)

Sworn to before me this
27th day of May, 2008.



Notary Public

MICHAEL PALITZ
Notary Public, State of New York
No. 01PA6133474
Qualified in Westchester County
Commission Expires 9/19/2009



Supreme Court of Pennsylvania

CERTIFICATE OF GOOD STANDING

Andrea Toy Ohta, Esq.

DATE OF ADMISSION

April 21, 2003

The above named attorney was duly admitted to the bar of the Commonwealth of Pennsylvania, and is now a qualified member in good standing.



Witness my hand and official seal

Dated: May 7, 2008

A handwritten signature in black ink, appearing to read "John W. Person, Jr.", written over a horizontal line.

John W. Person, Jr., Esq.
Deputy Prothonotary



THE STATE BAR OF CALIFORNIA

MEMBER SERVICES CENTER

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1639

TELEPHONE: 888-800-3400

May 14, 2008

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, ANDREA LYNN TOY, #217428 was admitted to the practice of law in this state by the Supreme Court of California on December 2, 2001; that from the date of admission to October 3, 2002, she was an ACTIVE member of the State Bar of California; that on October 3, 2002, she transferred at her request to the INACTIVE status as of September 1, 2002; that she has been since that date, and is at date hereof, an INACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Governors or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

A handwritten signature in black ink, appearing to read "Kath Lambert".

Kath Lambert

Custodian of Membership Records

NOTE: *Only ACTIVE members of the State Bar of California are entitled to practice law in California. (See Sections 6006 and 6125, et seq., Business and Professions Code.)*

UNITED STATES DISTRICT COURT
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08-CV-4565 (AKH)

BRAY & GILLESPIE, INC.; BRAY & GILLESPIE
MANAGEMENT, LLC; CHARLES A. BRAY and
JOSEPH GILLESPIE,

ORDER

Defendants.

-----X

IT IS HEREBY ORDERED, this day of , 2008, upon the
motion of defendants Bray & Gillespie, Inc.; Bray & Gillespie Management, LLC;
Charles A. Bray and Joseph Gillespie for an Order pursuant to Local Civil Rule 1.3(c)
granting *pro hac vice* admission to Andrea Toy Ohta in connection with the above-
captioned case, and upon consideration of the motion and the affidavit in support thereof,
it is ORDERED that

Andrea Toy Ohta
PEPPER HAMILTON LLP
3000 Two Logan Square
Eighteenth and Arch Streets
Philadelphia, PA 19103
(215) 981-4000
toyohtaa@pepperlaw.com

is granted *pro hac vice* admission to the bar of this Court for the purpose of participating
in, arguing and trying this action on behalf of defendants Bray & Gillespie, Inc.; Bray &
Gillespie Management, LLC; Charles A. Bray and Joseph Gillespie.

If counsel does not already have an ECF password, she shall promptly
apply for one at nysd.uscourts.gov.

Dated: May ___, 2008

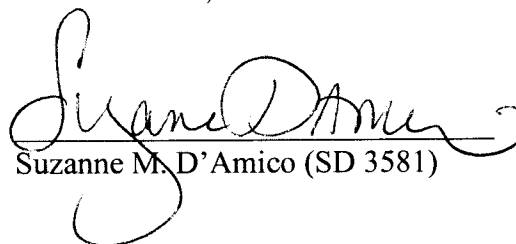
The Honorable Alvin K. Hellerstein

CERTIFICATE OF SERVICE

I hereby certify that on May 28, 2008, the foregoing Notice of Motion for Admission of Andrea Toy Ohta *Pro Hac Vice*, Motion, supporting Affidavit, and proposed Order were mailed via first-class mail to the following counsel:

Jeffrey E. Glen, Esquire
Anderson Kill & Olick, P.C.
1251 Avenue of the Americas
New York, NY 10020

Attorney for Plaintiff Anderson Kill & Olick, P.C.


Suzanne M. D'Amico (SD 3581)